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Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Seiichi Mizukoshi, et al

SETTING BLACK LEVELS IN  
ORGANIC EL DISPLAY DEVICES

Serial No. 10/767,288

Filed 28 January 2004

Group Art Unit:

Examiner:

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Drafting*  
Dia St. George  
Date 10/20/04

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**PETITION FOR GRANT OF FILING DATE**

This petition is in response to the Notice of Incomplete Nonprovisional Application mailed October 6, 2004, a copy of which is attached.

It is Applicants' position that a complete specification, including claims, abstract and drawings, along with a signed declaration was submitted for filing to the USPTO on January 28, 2004. The postcard mailed with the application indicated the specification contained 13 pages, the claims contained 1 page, the drawings contained 6 pages and the abstract contained 1 page. The postcard also indicates that an Assignment and a Declaration were filed along with the Japanese priority document. A copy of these documents are attached to this petition.

MPEP 503 states that "A post card receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped by the USPTO." It is further stated that "The person receiving the item(s) in the USPTO will check the listing on the postcard against the item(s) being filed to be sure they are properly identified and that all the items listed on the postcard are presently being submitted to the USPTO. If any of the items listed on the postcard are not being submitted to the USPTO, those items will be crossed off and the postcard initialed by the person receiving the items.". The postcard

submitted with this application (a copy of which is attached) was returned unannotated by the USPTO and therefore, it is believed that this serves as prima facie evidence that the application was filed in complete form and should be accorded the filing date of January 28, 2004.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Deposit Account No. 05-0225.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.